

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

JENNIFER PIGGOTT and)
SLADE PIGGOTT,)
) CASE NUMBER: CV06-1158
PLAINTIFFS,)
)
vs.)
)
)
GRAY CONSTRUCTION, INC.,)
)
)
DEFENDANT/THIRD-PARTY)
)
PLAINTIFF)
)
vs.)
)
)
COOPER'S STEEL FABRICATORS,)
INC., et al,)
)
)
THIRD-PARTY DEFENDANTS.)

MOTION TO CONTINUE HEARING ON STATUS CONFERENCE

**Comes now All-South Subcontractors, Inc, Third Party Defendants, (AllSouth) and
requests this Honorable Court as follows:**

- 1) This Court has set a status conference in this matter for August 29, 2007, at 2:00 PM at the Federal Courthouse in Montgomery, Alabama;
- 2) In a previous Motion, (Document 102), Counsel for AllSouth informed the Court that he would be out of the continental United States from August 24th until September 4, 2007, and therefore it will be impossible for him to attend the Status Conference on the date set by the Court; Your movant has had a cruise booked for three months, and cannot get a refund or reschedule the trip.

3) Said Counsel's law partner, John Sudderth, has a trial set on the same date in Domestic Court in Jefferson County which has been set for over 4 months, which has been pending for 8 months and cannot be settled, the Plaintiff is coming in from out of town, and there are no other lawyers in the firm.

4) Your Movant has contacted the counsel for the all other parties to this litigation, and they have no objection to the continuance of this motion, except for Hwashin America Corporation, which takes no position on the Motion;

5) Counsel for Allsouth would move the Court to continue said status conference to a date in early September, if it is possible.

This the 20th day of August, 2007

/s/ **John S. Somerset (SOM003, ASB074-3370 074J)
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CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system that will send notification of such filing to the following:

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